



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Batra et al.

Serial No.: 09/894,921

Case No.: 20243CA

Art Unit:

1617

Filed: June 28, 2001

Examiner:

Sharareh, S. J.

For: COMPRESSED TABLET FORMULATION

TECH CENTER 1600/2900

OCT 3 1 2002

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Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This communication is in response to the Office Action mailed September 26, 2002, which set a one-month period for response that expires on October 26, 2002. The Examiner has required restriction under 35 U.S.C. § 121 to the invention of Group I or Group II. The Examiner is advised that the claims of Group II were canceled at the time the application was filed, rendering the restriction requirement moot. Only the claims of Group I are pending.

The Examiner has also required an election of species. The elected species is a compressed tablet comprising:

efavirenz,  
microcrystalline cellulose (filler/disintegrant),  
croscarmellose sodium (superdisintegrant),  
hydroxypropyl cellulose (binder),  
sodium lauryl sulfate (surfactant),  
lactose hydrous spray dried (filler/compression aid),  
magnesium stearate (lubricant), and  
water (solvent).

It is believed that all of the pending claims read on the elected species.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

By

Date

*[Signature]* 10/25/02